

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nicholas Bongiovanni	Team: Squad #2	CCRB Case #: 201500030	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 12/31/2014 2:30 PM	Location of Incident: West 48th Street and 7th Avenue	Precinct: 18	18 Mo. SOL 6/30/2016	EO SOL 6/30/2016	
Date/Time CV Reported Wed, 12/31/2014 3:21 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 12/31/2014 3:21 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Dominick Jaworski	02664	928532	O C I D

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Dominick Jaworski	Force: Det. Dominick Jaworski used physical force against § 87(2)(b)	

Case Summary

On December 31, 2014, at approximately 2:30 p.m., § 87(2)(b) approached Det. Dominick Jaworski, in the vicinity of West 48th Street and 7th Avenue in Manhattan. Det. Jaworski allegedly pushed § 87(2)(b) two times in his chest using his hand (**Allegation A**). As of the date of this report, § 87(2)(b) has not returned his verification statement via USPS, and it will be added to the case file upon receipt. (encl. 12A-12B).

Mediation, Civil and Criminal Histories

On January 5, 2015, § 87(2)(b) was offered mediation, § 87(2)(b). A request was sent to the Comptroller's Office on January 20, 2015 for any Notice of Claim filed by § 87(2)(b) and any findings will be added to the case file upon receipt (encl. 11A) § 87(2)(b).

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (encl. 2A).
- This is the first CCRB complaint against Det. Jaworski during his 13-year tenure (encl. 1A).

Findings and Recommendations

Recommendation

Allegation A-Force: Det. Dominick Jaworski used physical force against § 87(2)(b)

It is undisputed that Det. Jaworski was blocking off a "frozen zone" where no one could pass. § 87(2)(b) alleged that when he approached Det. Jaworski from about one meter away, he asked him if he could pass through an area that was blocked off in order to get to his hotel (CCRB Statement encl. 5A-5B). It is undisputed that Det. Jaworski pushed § 87(2)(b) in his chest using his hand. Det. Jaworski did not say anything prior to pushing § 87(2)(b). § 87(2)(b) stated that he then asked Det. Jaworski why he pushed him. It is undisputed that Det. Jaworski pushed § 87(2)(b) a second time in his chest using his hand.

Det. Jaworski stated that § 87(2)(b) approached him within inches and did not say anything. It was at this point that Det. Jaworski "moved" § 87(2)(b) back, an arm's length away, by using his hand against § 87(2)(b)'s chest (encl. 8A-8B). Det. Jaworski then told § 87(2)(b) to tell him where he needed to go and he would direct him. At this point, § 87(2)(b) approached Det. Jaworski within inches again, and Det. Jaworski "moved" § 87(2)(b) a second time. Det. Jaworski "moved" § 87(2)(b) back because of the close proximity of which he approached him, and there were no other reasons for him doing so.

§ 87(2)(g)

Pod: _____

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date